

APR 30 2008

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

STEPHEN LARGE,

Defendant - Appellant.

No. 05-10251

D.C. No. CR-04-05018-REC

MEMORANDUM<sup>\*</sup>

Appeal from the United States District Court  
for the Eastern District of California  
Robert E. Coyle, District Judge, Presiding

Submitted April 22, 2008<sup>\*\*</sup>

Before: GRABER, FISHER, and BERZON, Circuit Judges.

Stephen Large appeals from the 63-month sentence imposed following his guilty-plea conviction for possession of material involving the sexual exploitation

---

<sup>\*</sup> This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

<sup>\*\*</sup> The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

of minors, in violation of 18 U.S.C. § 2252(a)(4)(B). We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

Large contends that the district court erred by failing to consider his argument for a lower sentence and by failing to adequately explain its reasons for the sentence imposed. The district court's explanation for the sentence is sufficient under the circumstances to demonstrate that it had a reasoned basis for its decision. *See Rita v. United States*, 127 S. Ct. 2456, 2468 (2007); *United States v. Carty*, Nos. 05-10200, 05-30120, 2008 WL 763770, at \*5 (9th Cir. Mar. 24, 2008) (en banc); *see also United States v. Perez-Perez*, 512 F.3d 514, 516 (9th Cir. 2007) (holding that the district court's explanation for a sentence within the Guidelines range was sufficient despite the lack of explicit reference to the defendant's mitigation arguments). We conclude that the district court did not procedurally err in imposing a sentence at the low end of the advisory Guidelines range. *See Gall v. United States*, 128 S. Ct. 586, 596-97 (2007); *Carty*, 2008 WL 763770, at \*4-8.

**AFFIRMED.**